

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                 |   |                     |
|---------------------------------|---|---------------------|
| MUSIC CHOICE,                   | ) |                     |
|                                 | ) |                     |
| Plaintiff,                      | ) |                     |
|                                 | ) |                     |
| v.                              | ) | C.A. No. 08-130-SLR |
|                                 | ) |                     |
| VIACOM, INC.,                   | ) |                     |
| VIACOM INTERNATIONAL, INC., and | ) |                     |
| MTV NETWORKS,                   | ) |                     |
|                                 | ) |                     |
| Defendants.                     | ) |                     |

**AFFIDAVIT OF MAILING PURSUANT TO 10 DEL. C. § 3104**

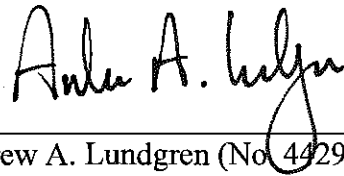
STATE OF DELAWARE :  
 : ss.  
COUNTY OF NEW CASTLE :

**BE IT REMEMBERED** that on this 28th day of March, 2008, the deponent Andrew A. Lundgren, personally appeared before me, a Notary Public for the State and County aforesaid, and deposed and stated as follows:

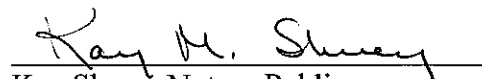
1. I am an attorney with the law firm of Young Conaway Stargatt & Taylor, LLP, attorneys for the plaintiff in the above captioned matter.
2. The defendant, MTV Networks, is a non-resident of the State of Delaware, and on March 4, 2008 and all other times pertinent, was a non-resident of the State of Delaware. The last known address of MTV Networks is 1515 Broadway, New York, New York 10036.

3. On March 7, 2007, I caused to be mailed by registered mail an envelope to MTV Networks at the above address. The envelope contained copies of a Notice in the form required by 10 *Del. C.* § 3104(d), and copies of the Summons and Complaint to the last-known address listed in Paragraph 2 of this affidavit.

4. On March 19, 2008, I received from the United States Post Office the return receipt showing delivery and acceptance by MTV Networks of the envelope referred to in Paragraph 3 herein. Pursuant to Local Rule 4.1(b), said return receipt is attached as Exhibit A.

  
\_\_\_\_\_  
Andrew A. Lundgren (No. 4429)

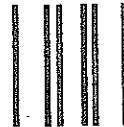
**SWORN TO AND SUBSCRIBED** before me, a Notary Public in and for the State and County aforesaid, on this 28th day of March, 2008.

  
\_\_\_\_\_  
Kay Shuey, Notary Public  
Commission Expires 2/16/09

# EXHIBIT A

| SENDER: COMPLETE THIS SECTION  |  | COMPLETE THIS SECTION ON DELIVERY   |  |
|--|--|---|--|
| <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.<br><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.<br><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. |  | A. Signature<br>X <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee<br>B. Received by (Printed Name) <u>[Signature]</u> Date of Delivery <u>3/14/08</u><br>C. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If YES, enter delivery address below:           |  |
| 1. Article Addressed to:<br><br>MTV NETWORKS<br>1515 BROADWAY<br>NY, NY 10036  |  | 3. Service Type<br><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.<br>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes |  |
| 2. Article Number<br>(Transfer from service label) <u>7</u>  |  | 7007 3020 0000 2158 4050  |  |
| PS Form 3811, February 2004  |  | Domestic Return Receipt 102595-02-M-1540  |  |

UNITED STATES POSTAL SERVICE


First-Class Mail  
Postage & Fees Paid  
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Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Andrew Lundgren, Esq.  
Young, Conaway, Stargatt & Taylor LLP  
1000 West St. 17th Floor  
Wilmington, De 19801

